

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

COMPRESSION LABS, INC.,

Plaintiff,

-against-

1. DELL INC.,
2. INTERNATIONAL BUSINESS
MACHINES CORPORATION,
3. TOSHIBA AMERICA, INC.,
4. TOSHIBA AMERICA CONSUMER
PRODUCTS LLC,
5. TOSHIBA AMERICA INFORMATION
SYSTEMS, INC.,
6. TOSHIBA AMERICA ELECTRONIC
COMPONENTS, INC.,

Defendants.

C. A. No. 2:04-CV-159-DF

**[PROPOSED] ORDER GRANTING MOTION OF TOSHIBA DEFENDANTS TO
DISMISS PURSUANT TO RULE 12(b)(1) OR, IN THE ALTERNATIVE, TO
TRANSFER**

Defendants Toshiba America Consumer Products, L.L.C. ("TACP"), Toshiba America Information Systems, Inc. ("TAIS"), and Toshiba America Electronic Components, Inc. ("TAEC") brought a Motion to Dismiss Pursuant to Rule 12(b)(1) or, in the Alternative, to Transfer. Having considered all papers submitted regarding this motion and any argument of counsel, this Court hereby ORDERS that the motion is GRANTED.

[The complaint filed in this action as against TACP, TAIS, and TAEC is
DISMISSED.]

[The action as against TACP, TAIS, TAEC, and Toshiba America, Inc. is
TRANSFERRED to the District of Delaware.]

It is so ordered.

SIGNED this _____ day of _____, 2004.

United States District Judge